

**REMARKS**

This is a full and timely response to the Office Action mailed February 1, 2007, submitted concurrently with a one month extension of time to extend the due date for response to June 1, 2007.

No claims have been amended in this response. Thus, claims 10-14 are pending in the present application.

In view of this response, Applicants believe that all pending claims are in condition for allowance. Reexamination and reconsideration in light of the above claims and the following remarks is respectfully requested.

**Rejection under 35 U.S.C. § 102**

Claims 10 and 14 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Anderson et al. (U.S. Patent No. 5,830,548). Applicant respectfully traverses this rejection.

Under U.S. practice, to properly anticipate a claim, the document must disclose, explicitly or implicitly, each and every feature recited in the claim. *See, e.g., Verdegall Bros. v. Union Oil Co. of Calif.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Here, in this case, Anderson et al. fails to teach each and every limitation of the claims.

The present claims are directed to a fiberboard comprising natural fiber and polylactic acid resin mixed in said natural fiber as a binder. The fiberboard (1) has a density of 0.2 g/cm<sup>3</sup> or more, (2) comprises an initial bending strength of 30 MPa or more, wherein the bending strength is calculated in accordance with the following expression "*bending strength (MPa) = 3PL/2Wt<sup>2</sup>*" (wherein P is the maximum bending load (N) to a test piece, L is the distance between fulcrums (mm) of the test piece, W is the width of the test piece (mm), and t is the thickness of the test piece (mm)), and (3) retains 20% or more of its initial bending strength after subjecting the fiberboard to a high temperature of 50°C and a high humidity of 95% RH for 1,200 hours.

Based on Applicant's review of the Examiner's comments, it appears that the Examiner believes that Anderson et al. disclosing a fiberboard comprising a fibrous material such as hemp, ramie, jute or sisal homogenously mixed with a binder material such as polylactic acid reads on the limitations of the claims. However, Applicant disagrees with the Examiner's interpretation of Anderson et al.

Anderson et al. only teaches a laminate structure comprising a starch-bound sheet having 3% or more of a fiber material mixed therein, a thickness of less than 1 cm and a density of greater than 0.5 g/cm, and at least one other sheet laminated to the starch-bound sheet (see claim 107 of Anderson et al.). Further, it should be noted that polylactic acid is included from among a large number of other compounds which can also serve as a useful binder (see claim 118). Metal foils, textile fabrics, paper, paper board, etc. are named as examples of the other sheet laminated to the starch-bound sheet (see claim 146). Hence, it is clear that the present invention differs from Anderson et al. since the present invention does not use starch as a binder and also does not consist of a composite laminate structure having another laminated sheet as disclosed in Anderson et al.

The claimed fiberboard of the present invention is composed of natural fiber and polylactic acid resin as main components, thereby achieving biodegradability of the fiberboard and lowering the load to the environment. In addition, a high bending strength is also achieved through the combined use of natural fiber with polylactic acid resin. Anderson et al. does not at all teach or suggest such superior effects or results in biodegradability and high bending strength.

With regard to the initial bending strength limitation of the claims, the Examiner argues that the tensile strength of the fiberboard in Anderson et al. ranges from 0.05 M to 80 MPa (see claim 137) which reads on the claims. However, contrary to the Examiner's conclusions, tensile strength is a completely different physical property than the initial bending strength of the present invention. The initial bending strength of the fiberboard of the present invention is defined to be 30 MPa or above as an initial value which is calculated from the equation defined in claim 5 (see paragraph [0044] of the Specification). It is clear from the equation to calculate initial bending strength that there is no correlation between the physical properties of bending strength and tensile strength since tensile strength is calculated as tensile force per cross-sectional area at rupture when tension is applied. Accordingly, even if numerical figures of initial bending strength and tensile strength overlap, Anderson et al. does not necessarily teach a laminate structure possessing the initial bending strength as defined in the present invention.

Thus, for these reasons, withdrawal of the rejection is respectfully requested.

**CONCLUSION**

For the foregoing reasons, the pending claims are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of these remarks is courteously solicited. If the Examiner has any comments or suggestions that would place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number below.

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Respectfully submitted,

By 

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